IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

Crl.Rev.Pet.No. 2453 of 2003()

CRA.239/2000 of SESSIONS COURT, MANJERI
CC.331/1997 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II, PERINTHALMANNA

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REVN. PETITIONER: APPELLANT/ACCUSED.

M.UNNIKRISHNAN, S/O.CHELLI,
SHANTHI NAGAR, VANIYAMABALAM,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR
SMT.SWAPNA HASSAN

RESPONDENTS: RESPONDENTS/COMPLAINANT/& STATE.

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1. A.RADHAKRISHNAN, S/O.NARAYANAN NAIR,
AMBAZHATHIL, WANDOOR, MALAPPURAM DIST.

2. THE STATE OF KERALA REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.DILIP MOHAN
BY PUBLIC PROSECUTOR SRI.BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2453 of 2003

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for modification of the sentence. It is submitted that the cheque amount has already been deposited. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.5,000/- to the complainant and in default, to undergo simple imprisonment for two weeks. The revision petitioner shall appear before the Judicial First Class Magistrate Court II, Perinthalmanna on 26.4.2007 to receive the sentence. The complainant is permitted to withdraw the amount in deposit.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl